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EXAMINER

WONG, JOSEPH D

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/597,511	Applicant(s) YOSHIMURA, KAZUYA	
	Examiner JOSEPH D. WONG	Art Unit 2166	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 June 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 July 2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|----------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>20060727</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

The abstract is objected to because it is over 150 words in length and it recites legal terminology of reference numbers. Extensive mechanical and design details of apparatus should not be given.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 4 is rejected for appearing vague and indefinite. For example, the statutory class appears unclear because claim 4 recites a recording medium but the claim from which it depends recites a different statutory class of a program. See MPEP 2173.05(p)(II). Appropriate clarification is requested.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 2-4, 10-20 are rejected for being directed towards nonstatutory subject matter.

Claim 2 is directed towards a data extraction supporting device. However, every physical article appears in the preamble and behind an intended use "for" clause which do not

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necessarily limit the claim to physical articles. Consequently the claim appears directed towards a system of software per se. Claim 2 is purported to be directed to a device consisting of software per se because no physical article is necessarily recited within the body of the claims. Software per se is not one of the four categories of invention. Software per se is not a series of steps or acts and thus is not a process. Software per se is not a physical article or object and as such is not a machine or manufacture. Software per se is not a combination of substances and therefore is not a composition of matter. Therefore **claims 2, 11-15** are not statutory.

Claim 3 is directed toward a program for causing a server computer for use in a system having a plurality of user terminals each having a storage device, a display device, and an input device and a server computer which can communicate with each user terminal through an information and communication network. However, every physical article appears in the preamble and behind an intended use "for" clause which do not necessarily limit the claim to physical articles. Consequently the claim appears directed towards a system of program per se. Claim 3 appears directed to program per se. Software per se is not one of the four categories of invention. Software per se is not a series of steps or acts and thus is not a process. Software per se is not a physical article or object and as such is not a machine or manufacture. Software per se is not a combination of substances and therefore is not a composition of matter. Therefore **claims 3, 16-20** are is not statutory.

Claim 4 is directed to a recording medium wherein the program has been stored. Ordinarily this would be statutory except the program is not executed on a processor. Note that non-functional and functional descriptive matter placed upon storage mediums are not statutory as per MPEP 2106. Therefore claim 4 is not statutory under similar reasoning as claim 3. In the

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instant specification as published, in paragraph [131], it appears to refer to a communication network and transmitting means or medium which appear not statutory under present evaluation.

Appropriate clarification is required.

[0131]The system, the device, the program, or the recording medium in which the program has been stored according to this invention is characterized in that the data extraction supporting device and the user terminal communicate with each other through the information and communication network every predetermined time period, in that the extraction candidate data deciding /transmitting means reads extraction candidate data which satisfy the transmission decision criterion for the predetermined time period collectively and transmits the extraction candidate data to the user terminal, and in that the history corresponding data updating means receives information about whether or not the extraction candidate data transmitted to the user terminal and displayed on the display device of the user terminal were selected by the user for the predetermined time period collectively and updates the history corresponding data in the information database based on the received information.

Claim 10 is directed to a data extraction supporting method carried out using a system having a plurality of user terminals each having a storage device, a display device, and an input device; and a server computer which can communicate with each user terminal through an information and communication network and which can access an information database for storing user identification data for identifying the user using a user terminal, extraction candidate data, and history corresponding data corresponding to the history in which the extraction candidate data have been selected by the user in association with one another. However, every physical article appears in the preamble which does not necessarily limit the claim to physical articles. However, this claim is not tied to another statutory class such as an apparatus with a physical article necessarily recited within the body of the claim or said article performing a transformative step. This is called the “**machine-or-transformation test**”. See *In re Bilski*.

Applicants can look to MPEP 2106.01-2106.02 (July 2008), Clarification of Processes under 35 USC 101, Interim Guidelines for Examination of Patent Applications for Patent Subject

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Matter Eligibility, Instant Specification, and contemporary case law with a matching fact pattern for further suggestions that may be helpful in overcoming these rejections.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Alcorn et al, (US 6,988,138 B1), hereinafter Alcorn.

As to claim 1, Alcorn teaches a data extraction supporting system (Title), comprising: a plurality of user terminals each having a storage device (Fig. 2, item 120, “web client”, see drive slot), a display device (Fig. 2, item 120, “web client”, see monitor), and an input device (Fig. 4, item 403, “toolbar”); and a server computer which can communicate with each user terminal through an information and communication network (Abstract, “network...internet”; Fig. 2, see arrows; see Fig. 6, “Address: (e) http://” , where HTTP is a network protocol), characterized in that the server computer functions a data extraction supporting device which can access an information database for storing user identification data for identifying the user using a user terminal (Fig. 1, see “Browser” and item 154, “user manager”; Fig. 5, see "Welcome, Daniel",

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where Daniel is user specific), extraction candidate data (Fig. 5, “Personal Tasks...Order new computers...complete assignment #4”), and history corresponding data corresponding to the history in which the extraction candidate data have been selected by the user in association with one another (Fig. 5, “My Courses...Introduction to Music...Art History”), and which has an extraction candidate data deciding/transmitting means for deciding extraction candidate data corresponding to the history corresponding data for each user (Fig. 5, “My Courses” or Fig. 6, “Courses you are teaching”), reading the extraction candidate data from the information database (Fig. 11, see Current Location: Course Documents”), and transmitting the extraction candidate data to a corresponding user terminal on condition that the history corresponding data satisfies a specific transmission decision criterion (Fig. 22, see “Show All”); a history corresponding data updating means for receiving information about whether or not the extraction candidate data transmitted to the user terminal by the extraction candidate data deciding/transmitting means and displayed on the display device of the user terminal were selected by the user (Fig. 22, see drop down menu of “Show All”), and updating the history corresponding data in the information database based on the received information (Fig. 22, see “Baggins, T”, “Edit” to revise "Course Gradebook"); and an extraction data deciding means for deciding the extraction candidate data corresponding to the history corresponding data as extracting data for the user on condition that the history corresponding data updated by the history corresponding data updating means satisfies a specific extraction decision criterion (Fig. 22, see “Baggins, T”, “Edit” to revise "Course Gradebook", where a grade book meets an updated history).

As to claim 2, Alcorn teaches a data extraction supporting device for use in a system having a plurality of user terminals each having a storage device (Fig. 2, item 120, “web client”,

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see drive slot), a display device (Fig. 2, item 120, “web client”, see monitor), and an input device (Fig. 4, item 403, “toolbar”); and a data extraction supporting device which can communicate with each user terminal through an information and communication network (Fig. 2, see arrows; see Fig. 6, “Address: (e) http://”, where HTTP is a network protocol), characterized in that the data extraction supporting device can access an information database for storing user identification data for identifying the user using a user terminal (Fig. 1, see “Browser” and item 154, “user manager”; Fig. 5, see “Welcome, Daniel”, where Daniel is user specific), extraction candidate data (Fig. 5, “Personal Tasks...Order new computers...complete assignment #4”), and history corresponding data corresponding to the history in which the extraction candidate data have been selected by the user in association with one another (Fig. 5, “My Courses...Introduction to Music...Art History”), and has an extraction candidate data deciding / transmitting means for deciding extraction candidate data corresponding to the history corresponding data for each user (Fig. 5, “My Courses” or Fig. 6, “Courses you are teaching”), reading the extraction candidate data from the information database (Fig. 11, see Current Location: Course Documents”), and transmits the extraction candidate data to a corresponding user terminal on condition that the history corresponding data satisfies a specific transmission decision criterion (Fig. 22, see “Show All”); a history corresponding data updating means for receiving information about whether or not the extraction candidate data transmitted to the user terminal by the extraction candidate data deciding/transmitting means and displayed on the display device of the user terminal were selected by the user (Fig. 22, see drop down menu of “Show All”), and updating the history corresponding data in the information database based on the received information (Fig. 22, see “Baggins, T”, “Edit” to revise “Course Gradebook”, where

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grade book maps to a historical record); and an extraction data deciding means for deciding the extraction candidate data corresponding to the history corresponding data as extraction data for the used on condition that the history corresponding data updated by the history corresponding data updating means satisfies a specific extraction decision criterion (Fig. 22, see “Baggins, T”, “Edit” to revise "Course Gradebook", where a grade book meets an updated history).

As to claim 3, Alcorn teaches a program for causing a server computer for use in a system having a plurality of user terminals each having a storage device (Fig. 2, item 120, “web client”, see drive slot), a display device (Fig. 2, item 120, “web client”, see monitor), and an input device and a server computer which can communicate with each user terminal through an information and communication network (Fig. 2, see arrows; see Fig. 6, “Address: (e) http://”, where HTTP is a network protocol) to function as a data extraction supporting device which can access an information database for 'storing user identification data for identifying the user using a user terminal (Fig. 1, 2), extraction candidate data (Fig. 5, “Personal Tasks...Order new computers...complete assignment #4”), and history corresponding data corresponding to the history in which the extraction candidate data have been selected by the user in association with one another (Fig. 5, “My Courses...Introduction to Music...Art History”), and which has an extraction candidate data deciding/transmitting means for deciding extraction candidate data corresponding to the history corresponding data for each user (Fig. 5, “Personal Tasks...Order new computers...complete assignment #4”), reading the extraction candidate data from the information database (Fig. 11, see Current Location: Course Documents”), and transmitting the extraction candidate data to a corresponding user terminal on condition that the history corresponding data satisfies a specific transmission decision criterion (Fig. 22, see “Show All”);

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a history corresponding data updating means which receives information about whether or not the extraction candidate d at a transmitted to the user terminal by the extraction candidate data deciding/transmitting means and displayed on the display device of the user terminal were selected by the user (Fig. 22, see drop down menu of “Show All”), and updates the history corresponding data in the information database based on the received information (Fig. 22, see “Baggins, T”, “Edit” to revise "Course Gradebook", where grade book maps to a historical record); and an extraction data deciding means for deciding the extraction candidate data corresponding to the history corresponding data as extraction data for the user on condition that the history corresponding data updated by the history corresponding data updating means satisfies a specific extraction decision criterion (Fig. 22, see “Baggins, T”, “Edit” to revise "Course Gradebook", where a grade book meets an updated history).

As to claim 4, Alcorn teaches a recording medium wherein the program has already been arrested (Fig. 34, “Ready to checkout?”, Fig. 36, “authorization process takes a minute or so”).

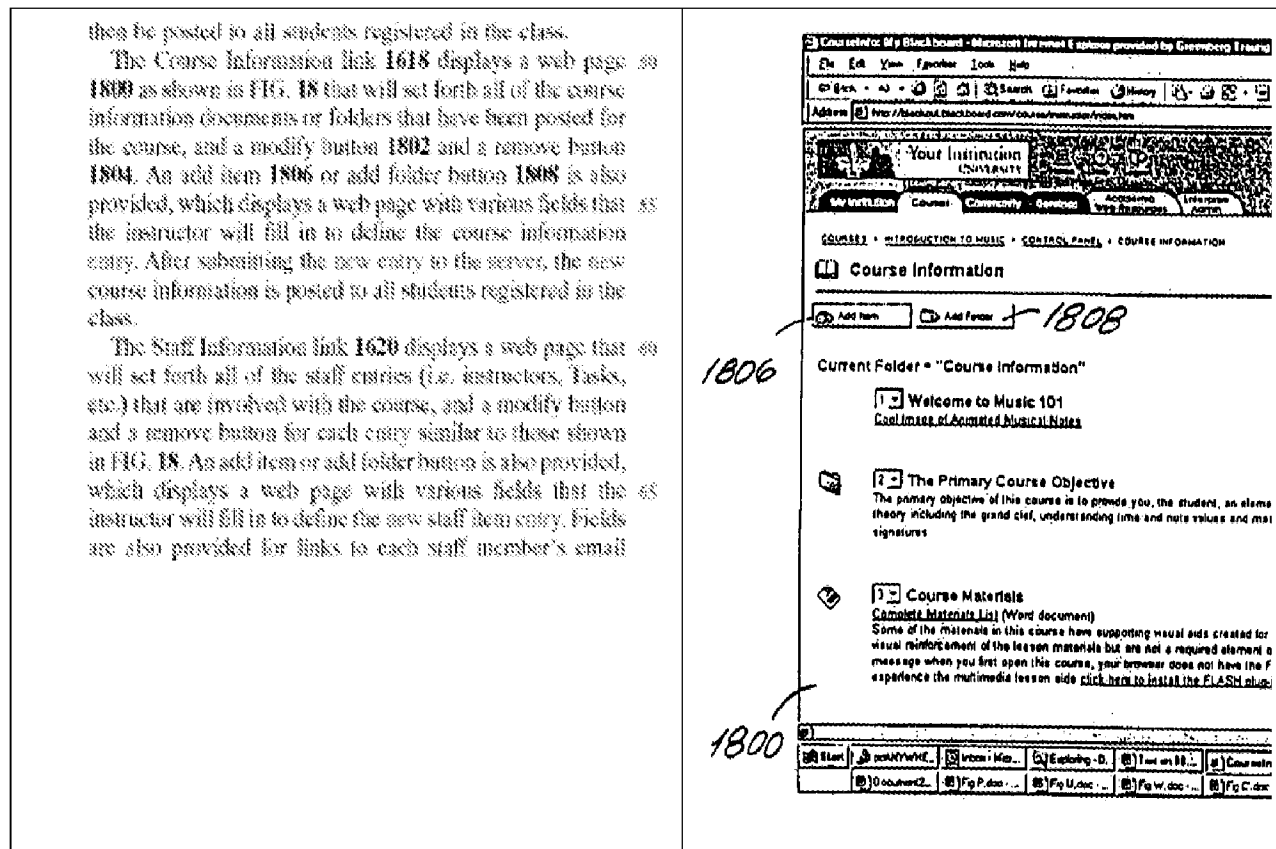
As to claims 5 and 11, Alcorn teaches the system to (Title), characterized in that the extraction decision criterion is equivalent to the condition that the extraction candidate data displayed on the display device of the user terminal (Fig. 1, item 120; Fig. 2, item 120), have been selected n times ($n \geq 3$) in a row by the user (Fig. 16, see at least three rows per column; “three-tiered licensing program”, Abstract), and in that the transmission decision criterion is equivalent to the condition that the extraction candidate data are undisplayed data which have never been displayed on the display device of the user terminal or previous time selected data which were selected by the user last time when the data were displayed on the display device of

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the user terminal (Col. 17, Lines 49-66, the term “undisplayed” is interpreted to be a negative limitation met by multiple causes including being new; Fig. 18, item 1806, “New”).

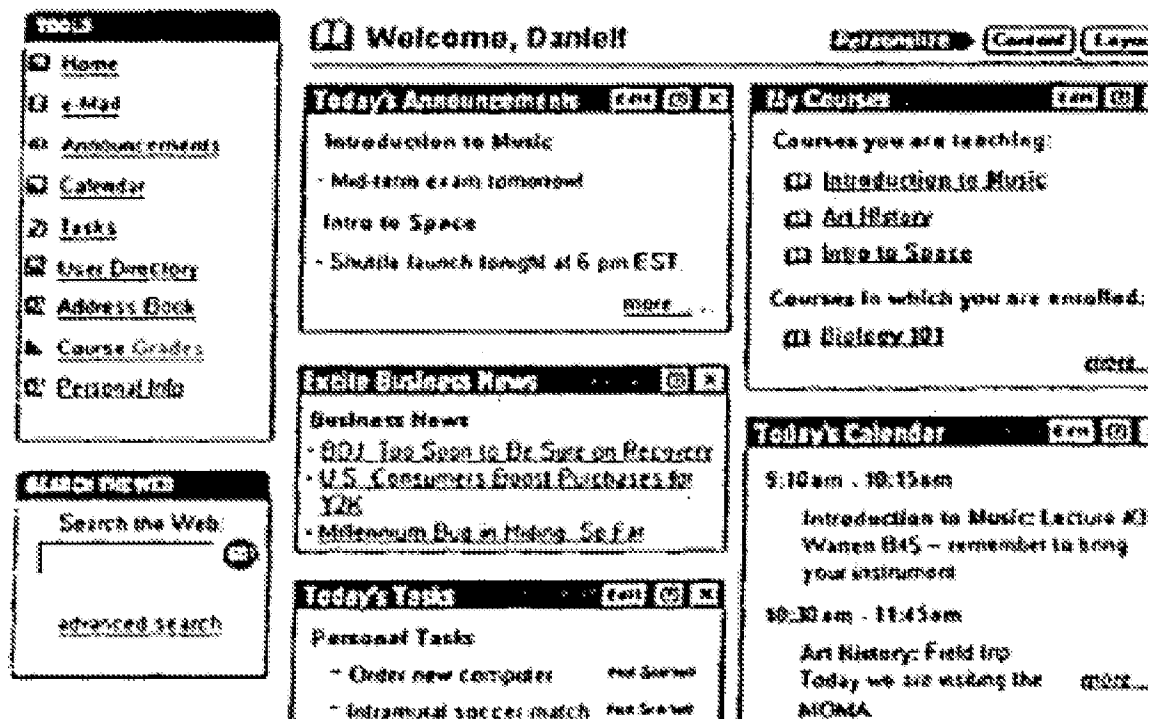
Col. 17, Lines 49-66:

Fig. 18, item 1806, “New”:



As to claim 6, Alcorn teaches the system (Title), characterized in that the transmission decision criterion is set such that the period from the $(i + 1)$ - th to $(i + 2)$ - th display on the display device of the user terminal is longer than the period from the i th to $(i+1)$ -th display under the condition that $1 \geq i \geq n - 2$ (Fig. 5, see time slots 9:10 AM through 11:45 AM). FIG 5:

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As to claim 7, Alcorn teaches the system to (Title), characterized in that when the extraction candidate data transmitted to the user terminal by the extraction candidate data deciding/traffic submitting means and displayed on the display device of the user terminal were not selected by the user (Fig. 28, "[X]"), the history corresponding data updating means changes the history corresponding data corresponding to the extraction candidate data to data which are dealt with in substantially the same way as undisplayed data (See Fig. 28).

Fig. 28:

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Email

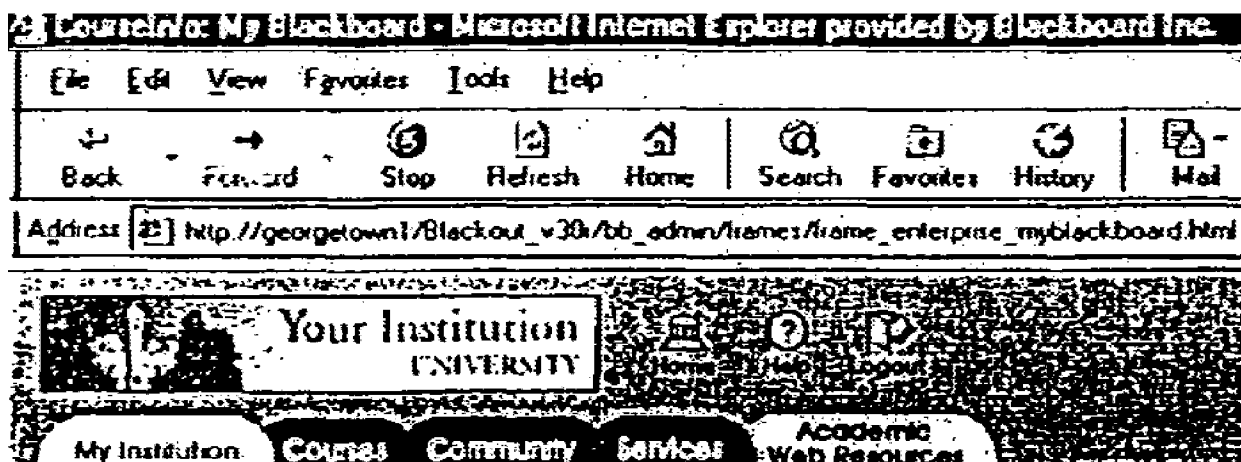
Open:

☐ All messages are highlighted
☐ Control by email style with using ordering order by clicking on the ordering button.
☒ The checkbox below are assignment and is shown in Color, Unchecked, or 34% of the message.

	File	Subject	Date	Size
<input type="checkbox"/>	F: "gms301c@sp.mt.com"	CUSTOMER ON (12/04)	12/04	507 B
<input type="checkbox"/>	F: "gms301c@sp.mt.com"	CUSTOMER ON (12/04)	12/04	607 B
<input type="checkbox"/>	F: "gms301c@sp.mt.com"	CUSTOMER ON (12/04)	12/04	512 B
<input checked="" type="checkbox"/>	F: "gms301c@sp.mt.com"	CUSTOMER ON (12/04)	12/04	512 B
<input type="checkbox"/>	F: "gms301c@sp.mt.com"	CUSTOMER ON (12/04)	12/04	512 B

As to claim 8, Alcorn teaches the system (Title), characterized in that the data extraction supporting device and the user terminal communicate with each other through the information and communication network (Abstract, "network...internet") every predetermined time period (Fig. 22, "Space301c Quiz", "Assignment #1"), in that the extraction candidate data deciding/transmitting means reads extraction candidate data which satisfy the transmission decision criterion for the predetermined time period collectively and transmits the extraction candidate data to the user terminal (Fig. 28, see http://georgetown1/Backout_v30/bb_admin/...), and in that the history corresponding data updating means receives information about whether or not the extraction candidate data transmitted to the user terminal and displayed on the display device of the user terminal were selected by the user for the predetermined time period collectively and updates the history corresponding data in the information database based on the received information (Fig. 28, "[X]"). FIG. 28: (top)

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As to **claim 9**, Alcorn teaches the system (Title), characterized in that the system further includes an administrator terminal which can communicate with the server computer through the information and communication network (Abstract, “network...internet”; Fig. 2, see arrows; see Fig. 6, “Address: (e) http://”, where HTTP is a network protocol), and in that the data extraction supporting device has a transmission decision criterion setting means (Fig. 28) which sets the transmission decision criterion based on transmission decision criterion directing data transmitted from the administrator terminal and/or the user terminal (Col. 17, Lines 49-66).

As to **claim 10**, Alcorn teaches a data extraction supporting method carried out using a system having a plurality of user terminals each having a storage device (Figs. 1-2, items 120, “web client”, “web browser”), a display device (Fig. 2, item 120, “web client”, see monitor), and an input device (Fig. 4, item 403, “toolbar”, Col. 17, Lines 5-10, “navigation button toolbar is a group of control buttons”); and a server computer which can communicate with each user terminal through an information and communication network (Abstract, “network...internet”; Fig. 2, see arrows; see Fig. 6, “Address: (e) http://”, where HTTP is a network protocol) and which can access an information database for storing user identification data for identifying the

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user using a user terminal (Fig. 5, “Daniel”), extraction candidate data (Fig. 5), and history corresponding data corresponding to the history in which the extraction candidate data have been selected by the user in association with one another (Fig. 5, “My Courses...Introduction to Music...Art History”), comprising: an extraction candidate data deciding / transmitting step of deciding extraction candidate data corresponding to the history corresponding data for each user (Fig. 23A, items 2302-2310), reading the extraction candidate data from the information database (Fig. 5, “Gradebook”), and transmitting the extraction candidate data to a corresponding user terminal on conditional the history corresponding data satisfies a specific transmission decision criterion (Fig. 5, “Items are grouped by Show All V”); a history corresponding data updating step of receiving information about whether or not the extraction candidate data transmitted to the user terminal in the extraction candidate data deciding/transmitting step and displayed on the display device of the user terminal were selected by the user, and updating the history corresponding data in the information database based on the received information (Fig. 28); and an extraction data deciding step of deciding the extraction candidate data corresponding to the history corresponding data as extraction data for the user on condition that the history corresponding data updated in the history corresponding data updating step satisfies a specific extraction decision criterion (Fig. 22, see “edit”).

As to claim 12, Alcorn teaches the device (Title, Abstract), characterized in that the transmission decision criterion is set such that the period from the (i+1)-th to (i+2)-th display on the display device of the user terminal is longer than the period from the i-th to (i+1)-th display under the condition that $1 \leq i \leq n-2$ (Fig. 5, see time slots 9:10 AM through 11:45 AM).

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As to claim 13, Alcorn teaches the device (Title, Abstract), characterized in that when the extraction candidate data transmitted to the user terminal by the extraction candidate data deciding/transmitting means and displayed on the display device of the user terminal were not selected by the user (Fig. 28, see "[]" without X), the history corresponding data updating means changes the history corresponding data corresponding to the extraction candidate data to data which are dealt with in substantially the same way as undisplayed data ((See Fig. 28, supra).

As to claim 14, Alcorn teaches the device (Title, Abstract), characterized in that the data extraction supporting device and the user terminal communicate with each other through the information and communication network (Fig. 22, "local intranet") every predetermined time period (Fig. 22, "Space301c Quiz", "Assignment #1"), in that the extraction candidate data deciding/transmitting means reads extraction candidate data which satisfy the transmission decision criterion for the predetermined time period collectively and transmits the extraction candidate data to the user terminal (Fig. 22, see completed checkmark), and in that the history corresponding data updating means receives information (Fig. 22, "edit") about whether or not the extraction candidate data transmitted to the user terminal and displayed on the display device of the user terminal were selected by the user for the predetermined time period collectively (Fig. 22, "Assignment #1", "Space301c Quiz") and updates the history corresponding data in the information database based on the received information (Fig. 22, "edit").

As to claim 15, Alcorn teaches the device (Title, Abstract), characterized in that the system further includes an administrator terminal which can communicate with the server computer through the information and communication network (Abstract, "network...internet"), and in that the data extraction supporting device has a transmission decision criterion setting

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means which sets the transmission decision criterion based on transmission decision criterion (Fig. 6, "Courses you are teaching") directing data transmitted from the administrator terminal and/or the user terminal ((Fig. 28, see http://georgetown1/Backout_v30/bb_admin/...)).

As to claim 16, Alcorn teaches the program (Title, Abstract), characterized in that the extraction decision criterion is equivalent to the condition that the extraction candidate data displayed on the display device of the user terminal have been selected n times ($n \geq 3$) in a row by the user (Fig. 16, see at least three rows per column; "three-tiered licensing program", Abstract), and in that the transmission decision criterion is equivalent to the condition that the extraction candidate data are undisplayed data which have never been displayed on the display device of the user terminal or previous time selected data which were selected by the user last time when the data were displayed on the display device of the user terminal (Col. 17, Lines 49-66, the term "undisplayed" is interpreted to be a negative limitation met by multiple causes including being new; Fig. 18, item 1806, "New").

As to claim 17, Alcorn teaches the program (Title, Abstract), characterized in that the transmission decision criterion is set such that the period from the $(i+1)$ -th to $(i+2)$ -th display on the display device of the user terminal is longer than the period from the i -th to $(i+1)$ -th display under the condition that $1 \leq i \leq n-2$ (Fig. 5, see time slots 9:10 AM through 11:45 AM). .

As to claim 18, Alcorn teaches the program (Title, Abstract), characterized in that when the extraction candidate data transmitted to the user terminal (Figs. 1-2) by the extraction candidate data deciding/transmitting means and displayed on the display device of the user terminal were not selected by the user (Fig. 28, supra), the history corresponding data updating

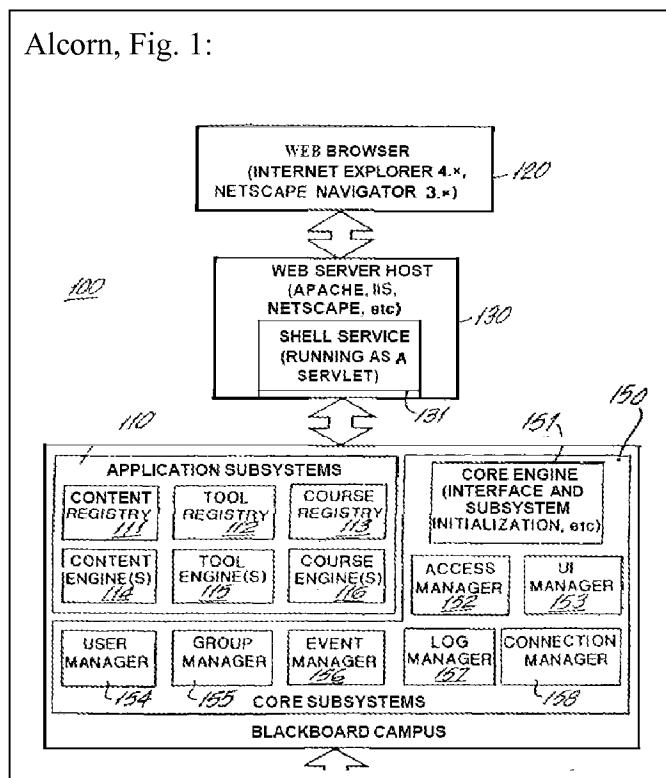
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means changes the history corresponding data corresponding to the extraction candidate data to data which are dealt with in substantially the same way as undisplayed data (Figs. 5, 22).

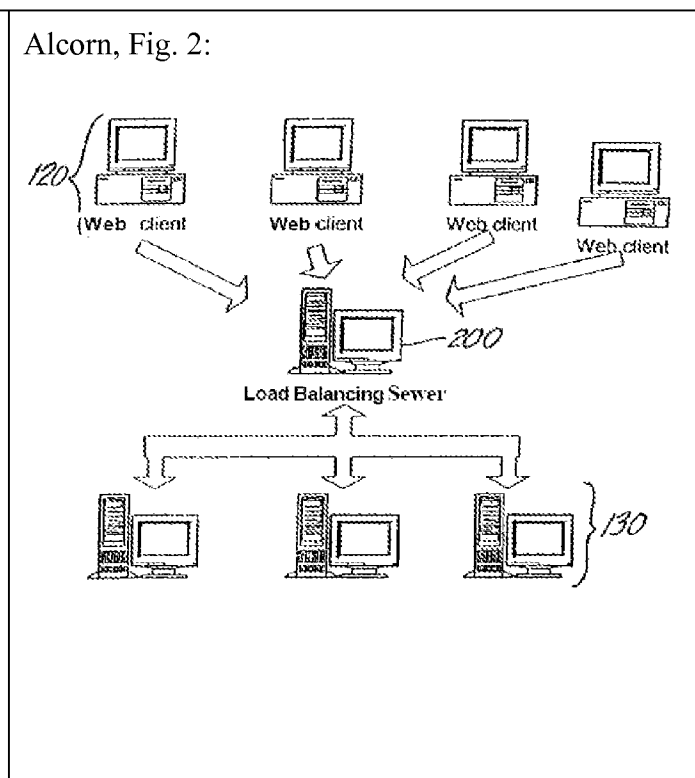
As to claim 19, Alcorn teaches the program (Title, Abstract), characterized in that the data extraction supporting device and the user terminal (Figs. 1-2, item 120, “web client” or “web browser”) communicate with each other through the information and communication network (Abstract, “network...internet”) every predetermined time period (Fig. 22, “Space301c Quiz”, “Assignment #1”), in that the extraction candidate data deciding/transmitting means reads extraction candidate data which satisfy the transmission decision criterion for the predetermined time period collectively and transmits the extraction candidate data to the user terminal (Fig. 5, see time slots 9:10 AM through 11:45 AM), and in that the history corresponding data updating means receives information about whether or not the extraction candidate data transmitted to the user terminal (Figs. 1-2) and displayed on the display device of the user terminal were selected by the user for the predetermined time period collectively and updates the history corresponding data in the information database based on the received information (Figs. 22, 23A-B).

As to claim 20, Alcorn teaches the program (Title, Abstract), characterized in that the system further includes an administrator terminal which can communicate with the server computer through the information and communication network (Abstract, “network...internet”), and in that the data extraction supporting device has a transmission decision criterion setting means which sets the transmission decision criterion based on transmission decision criterion directing data transmitted from the administrator terminal (Fig. 20, “instructor library web page”, Col. 6, Lines 60-64) and/or the user terminal (Figs. 1-2, items 120).

Alcorn, Fig. 1:



Alcorn, Fig. 2:



Alcorn, Col. 11, Lines 60-65:

As further explained herein, the course management tools 60 featured in the present invention allow instructors to monitor, control and customize their course web sites from a web browser interface. The Course Control Panel provides a robust and easy-to-use interface for such course management. The system allows instructors to customize the names 65 of course web site navigation buttons to suit their needs and requirements. The system also allows the instructor to add or

Conclusion

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph D. Wong whose telephone number is 571-270-1015. The examiner can normally be reached on Mondays through Fridays from 10 AM - 6 PM.

Applicant initiated interviews may be formally requested in advance by faxing a completed PTO-413A form to the Examiner's personal fax number at 571-270-2015. Form PTO-413A is used by the Examiner to prepare for any proposed interview. A detailed agenda listing should be attached including any proposed claim language and/or arguments that will be presented. This form is used to determine whether any proposed interview would advance prosecution and fit within a prescribed time limit.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T. Alam can be reached on (571) 272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://portal.uspto.gov/external/portal/pair>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Asst. Examiner, Art Unit 2166

20 February 2009

/S. L./, February 15, 2009

/Hosain T Alam/

Supervisory Patent Examiner, Art Unit 2166